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SUBJECT: GOMA NOTES 03/06/08 - GOMA PROCESS: BACK TO WRANGLING

¶1. Summary: The CNDP rejoined Goma process talks March 6 following meetings between AF Senior Adviser Tim Shortley and Nkunda in Kirolirwe. However, its delegation had not been briefed on the Shortley-Nkunda talks, and Vice Admiral Etumba, the GRDC delegation head, apparently presumed their return signaled their acquiescence to his previous proposals. The talks were jerked back into wrangling over the same points that had been in contention before. Discussions ground to an inevitable halt as it became clear that the CNDP reps were not in a position to make concessions or to negotiate on behalf of their principals. Participants agreed to a U.S. suggestion to adjourn the meeting until the CNDP delegation had had a chance to confer internally and return with an authoritative position and be prepared to negotiate, as Nkunda had promised Shortley. End summary.

¶2. (SBU) Immediately following the visit by Assistant Secretary Frazer's Senior Adviser Tim Shortley and the International Facilitation to CNDP leader Laurent Nkunda in Kirolirwe on March 5 (septel), a meeting was held at MONUC-Goma between the Facilitation, the GDRC delegation to the Goma process (led by Vice Admiral Didier Etumba) and MONUC (including SRS Chief of Staff John Almstrom and Eastern Division Commander General Bikram Singh) to brief them on the Shortley-Nkunda talks and to urge the GDRC to move forward on setting up the Joint Peace and Security Committee (JC) envisioned by the Kivu conference Acte d'Engagement. Etumba agreed, and a meeting was called for the following morning to which the CNDP delegation would be invited.

¶3. (SBU) This meeting between CNDP, GDRC, MONUC and the Facilitation (Jay Nash and Willet Weeks for the U.S.) convened at MONUC with only the military component of the CNDP delegation, led by Major Seraphin Mirindi, present. Its three members were in town to attend the ILCCE leadership seminar (co-sponsored by the Woodrow Wilson Center) at the Karibu Hotel. It became clear as the discussions progressed that this CNDP group had not been briefed on the Shortley-Nkunda talks, which had been attended by the political component of the CNDP delegation to the Goma process. The latter had not returned from Kirolirwe despite Nkunda's promise that a full CNDP delegation with powers to negotiate would be in Goma from the morning of March 6 onward, prepared to participate in the talks.

¶4. (SBU) Etumba opened the discussion by expressing satisfaction that the CNDP had rejoined the talks after its recent decision to suspend any dealings with the Goma process or with MONUC. He stated that the GDRC and CNDP were Congolese brothers who needed to fulfill the expectations that had been placed upon them following the Acte d'Engagement. "I will not accept the CNDP's leaving us again: we need to end this war - we are partners for peace." He invoked the International Facilitation ("they are watching us") and the IDPs, "the Congolese refugees who are anxious to return home", and the suffering masses of Kivu.

15. (SBU) Etumba then proceeded to outline the steps on which he expected to get swift agreement from the CNDP. These issues were presented largely on a take-or-leave-it basis, with the strong implication that, since CNDP had returned to the talks, they would of course be also prepared to take accept what the GDRC was putting forward. The points raised included proposed quotas for representation within each of the Goma process subcommittees in North and South Kivu and whether the immediate level of subcommittees below the JC should be sectoral or geographic: both issues that had been the subject of intense wrangling between the GDRC and the CNDP before the talks broke off. Etumba now forwarded his views on these as faits accomplis to which the CNDP would naturally acquiesce.

16. (SBU) The CNDP of course did not do so. Having no knowledge of the substance or tone of the discussions in Kirokirwe, they announced that they were delighted to be back in the talks and that they were there to stay unless the GDRC "violated the agreement." But, Mirindi said, there was still disagreement on some of the points raised by Etumba.

17. (SBU) The talks then were jerked back into wrangling over the same points that had been in contention before they had been broken off. Principal among these was the issue of division of JC subcommittees by sector (military and humanitarian/social) at the provincial level (per the GDRC and the Facilitation); respective seat allocation within the North Kivu subcommittee(s) (CNDP wanted 40 per cent, the GDRC has gone to up to 30 per cent plus); the CNDP's notion that the GRDC and the Mayi-Mayi groups are a single unit (always guaranteed to get a rise out of the GDRC, and Col. Delphin Kahimbi, the FARDC's 8th Military Region Deputy Commander, duly rose to the occasion); and how decisions will be taken within the Joint Committee (by consensus, per GDRC, or by a three-quarters vote, per

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CNDP).

18. (SBU) All of this had been rehearsed and left unresolved during earlier discussions, though the CNDP advanced a new argument for its position on the geographic vs. sectoral division of the joint sub-committees: that there had in fact been two Actes, though identical in content, signed respectively by the North and South Kivu parties. The discussions ground to an inevitable halt, and during the break, Almstrom approached the Facilitation with an ingenious proposal for dealing with the sectoral-vs.-geographic committees issue: that a new function be created alongside the top-level secretariat to coordinate the two sectors at the provincial level.

19. (SBU) In the version of this compromise presented to the CNDP when the talks resumed, the EU's Jean-Michel Dumont, speaking for the Facilitation, recommended that six representatives be assigned to this unit, one per province for each of the GDRC, CNDP or FRF (in North or South Kivu respectively), and the Mayi-Mayi. The provincial coordinators would facilitate discussions between the provincial-level Military and Humanitarian/Social subcommittees in each province, thereby responding to the CNDP's concern that the work of the subcommittees at the provincial level would otherwise not be coordinated. The coordinating function would rotate monthly between each group in the two provinces. The CNDP seemed intrigued by this idea, and Etumba stated more or less peremptorily that the CNDP had accepted it, which the CNDP said it in fact could not do at this stage and without consultations with its headquarters.

110. (SBU) By this point it was clearer than ever that the CNDP military reps were not in a position to make concessions or to negotiate on behalf of their principals, and that it had been a mistake to let the meeting start or to go on at such futile length. Speaking for the Facilitation, Weeks suggested that this meeting was vexed by a communications problem, that those members of the CNDP delegation who were present in Goma on March 6 had not been at the meetings in Kirokirwe on March 5, that those who had been in Kirokirwe were not in Goma, and that the two groups had not talked. Wouldn't it be better to adjourn the meeting until the CNDP delegation had had a chance to confer internally and return with an

authoritative position and prepared to negotiate, as had been promised to Shortley?

¶11. (SBU) This was seized upon and, after some further bluster from Etumba and expressions of victimized incredulity from CNDP, the meeting was adjourned until 1800, and then once again until 0900 the following day, with the possibility of further postponement in the event that communications problems had still prevented CNDP from firming up its position.

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